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NOTICE OF ALLOWANCE AND FEE(S) DUE

25920

7590

12/11/2009

MARTINE PENILLA & GENCARELLA, LLP
710 LAKEWAY DRIVE
SUITE 200
SUNNYVALE, CA 94085

EXAMINER

BECKLEY, JONATHAN R

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 12/11/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,249	03/31/2004	Hiroki Okabe	ITECP013	9183

TITLE OF INVENTION: PRINT MANAGEMENT SYSTEM AND PRINT MANAGEMENT METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/11/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

25920 7590 12/11/2009

MARTINE PENILLA & GENCARELLA, LLP
 710 LAKEWAY DRIVE
 SUITE 200
 SUNNYVALE, CA 94085

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/816,249 03/31/2004

Hiroki Okabe

ITECP013

9183

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/11/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
BECKLEY, JONATHAN R	2625	358-001150

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2
 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/816,249	03/31/2004	Hiroki Okabe	ITECP013	9183
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			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 12/11/2009

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 988 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 988 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/816,249

Examiner

JONATHAN R. BECKLEY

Applicant(s)

OKABE ET AL.

Art Unit

2625

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Remarks filed on 08/20/2009, and Agreement for Examiner's amendment on 12/02/2009.
2. ☒ The allowed claim(s) is/are 9, 11 and 20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 02/27/2006
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Jonathan R Beckley/
Examiner, Art Unit 2625

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Pete Martine on 12/04/2009.

The application has been amended as follows:

Claim 9 has been amended to incorporate the distinct features of claim 10 and clarify the current invention limitations. In combination, the amendment creates the distinct novelty of the invention and presents the claim for allowance.

Claim 9 is to be rewritten as follows:

"A print management system that allocates each print demand to one of multiple printing devices, which print an image on a medium, said print management system comprising:

a plurality of printing devices;
a print demand acceptance module that receives a plurality of print demands, each print demand includes a printing request of an image, wherein each said printing request included in each print demand has image identification information for identifying the image to be printed and has customer identification information for identifying a customer who demands printing of the image, said image identification information includes at least one of a file name of the image, identification information for identifying a digital camera used to record the image, date of recording the image with the digital camera, and a data size of the image;

a print allocation module that receives print demands from said print demand acceptance module,

said print allocation module, in response to a received print demand, which is a second print demand including a printing request of an image, said image is the same image as a first image of a first printing request of a first print demand, wherein the first image has previously been allocated to a given printing device of the plurality of printing devices, retrieves a matching print demand among a plurality of print demands in an allocated state or a printed state, said matching print demand is, or identical to, the first

print demand, wherein the matching print demand includes an identical image with the image of the printing request of the received print demand,

said print allocation module determines a state of a spooler of a printing device, to which the matching print demand has been allocated,

said print allocation module allocates the received print demand to the printing device when the spooler has any vacancy, while, in a case when the spooler has no vacancy, waits to allocate the received print demand to the printing device after a vacancy occurs in the spooler,

said print allocation module sets the status of the received and allocated print demand to the allocated state;

an information storage module that stores image identification information and customer identification information of printing requests when a printing request to print an image has been allocated so to identify the image and printing device to which image of the printing request of a print demand has been allocated; and

a printing request number detection module that detects a number of printing requests allocated to each of the plurality of printing devices,

wherein each of the plurality of printing devices accepts allocation of printing requests from said print allocation module to a preset number and successively executes the preset number of printing requests,

said print allocation module allocates the received print demand to the printing device when printing request of the received print demand includes a piece of image identification which is identical to a stored image identification of the matching printing demand and a piece of customer identification which is identical to a stored customer identification of the matching print demand,

said print allocation module allocates the received print demand on the condition that any of the numbers of printing requests to each of the plurality of printing devices is less than the preset number."

(Claim 10: CANCELLED.)

Claim 11 is amended to change the dependency from claim 10 to claim 9.

Claim 11 is to be rewritten as follows:

"A print management system in accordance with claim 9, wherein said print allocation module, when there are plural printing devices having the number of allocated printing requests less than the preset number, allocates a printing request to the printing device having a less number of allocated printing requests."

Claim 20 has been amended to for the similar reason as claim 9 and is amended to incorporate the limitations of claim 9 in a method claim.

Claim 20 is to be rewritten as follows:

"A print management method that allocates each print demand to one of multiple printing devices, which print an image on a medium, said print management method comprising the steps of:

(a) receiving a plurality of print demands, each print demand includes a printing request of an image, wherein each said printing request included in each print demand has image identification information for identifying the image to be printed and has customer identification information for identifying a customer who demands printing of the image, said image identification information includes at least one of a file name of the image, identification information for identifying a digital camera used to record the image, date of recording the image with the digital camera, and a data size of the image;

(b) in response to a received print demand, which is a second print demand including a printing request of an image, said image is the same image as a first image of a first printing request of a first print demand, wherein the first image has previously been allocated to a given printing device of a plurality of printing devices, retrieving a matching print demand among a plurality of print demands in an allocated state or a printed state, said matching print demand is, or identical to, the first print demand, wherein the matching print demand includes an identical image with the image of the printing request of the received print demand,

(c) determining a state of a spooler of a printing device, to which the matching print demand has been allocated,

(d) allocating the received print demand to the printing device when the spooler has any vacancy, while, in a case when the spooler has no vacancy, waits to allocate the received print demand to the printing device after a vacancy occurs in the spooler,

(e) setting the status of the received and allocated print demand to the allocated state;

(f) storing image identification information and customer identification information of printing requests when a printing request to print an image has been allocated so to identify the image and printing device to which image of the printing request of a print demand has been allocated; and

(g) detecting a number of printing requests allocated to each of the plurality of printing devices,

wherein each of the plurality of printing devices accepts allocation of printing requests from said print allocation module to a preset number and successively executes the preset number of printing requests,

said step (d) allocates the received print demand to the printing device when printing request of the received print demand includes a piece of image identification which is identical to a stored image identification of the matching printing demand and a

piece of customer identification which is identical to a stored customer identification of the matching print demand,
said step (d) allocates the received print demand on the condition that any of the numbers of printing requests to each of the plurality of printing devices is less than the preset number."

2. The following is an examiner's statement of reasons for allowance:

Claims 9 and 20 of the current application teach similar subject matter of the publication to Nelson (the article entitled "JetForm Elevates Form Filling with Client/Server Features"), and Barry et al. (US 5,859,711). The current invention is based upon a management system which directs print jobs to particular printers based on analyzed and provided information so to keep consistent print quality when printing to a print service environment with a plurality of printers. Each independent claim identifies a system which allocates a print demand to a particular printer based certain criteria. Each independent claim identifies the uniquely distinct feature of *"retrieving a matching print demand among a plurality of print demands in an allocated state or a printed state, said matching print demand is, or identical to, the first print demand, wherein the matching print demand includes an identical image with the image of the printing request of the received print demand;... allocates the received print demand to the printing device when printing request of the received print demand includes a piece of image identification which is identical to a stored image identification of the matching printing demand and a piece of customer identification which is identical to a stored customer identification of the matching print demand."*

Claim 11 is allowable for being dependent on an allowable base claim.

Claim 9, 11 and 20 are respectfully renumbered as claims 1-3.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN R. BECKLEY whose telephone number is (571)270-3432. The examiner can normally be reached on Mon-Fri: 7:30-5:00 EST (Alternate Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TWYLER L. HASKINS can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jonathan R Beckley/
Examiner, Art Unit 2625

*/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625*